

## **Chapter 3**      **Comments and Coordination**

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Early and continuing coordination with the general public and appropriate public agencies is an essential part of the environmental process. It helps planners determine the necessary scope of environmental documentation, the level of analysis required, and to identify potential impacts and mitigation measures and related environmental requirements. Agency consultation and public participation for this project have been accomplished through a variety of formal and informal methods, including: monthly Project Development Team (PDT) meetings, interagency coordination meetings, and consultation with interested parties. This chapter summarizes the results of the Department's efforts to fully identify, address, and resolve project-related issues through early and continuing coordination.

### **3.1 Consultation and Coordination**

Department staff consulted with the OCWD on January 15, 2009, requesting any species of concern at the Santa Ana River and the Santa Ana River Bridge, the potential biological resources, and the existing conditions within the BSA. A response email was received from OCWD bringing to attention the potential for water-associated bird nesting within the project vicinity. Additionally, Department staff consulted with CDFG requesting concerns about State-listed species on March 18, 2009. An email response was received April 6, 2009, indicating that bats and swallows were discussed as a potential concern for CDFG.

Department staff notified USFWS of the project in January 2009, requesting a list for proposed, threatened, and endangered species potentially occurring in the vicinity of the proposed project. The USFWS response was received on December 23, 2009. Due to the urbanized nature of the project area, federally and/or State-listed Threatened or Endangered species are not anticipated within the BSA. Table 3.1 below lists the dates and specific activities for agency consultation and coordination.

**Table 3.1 Summary of Consultation and Coordination Activities**

<b>Timing</b>	<b>Activity</b>
January 15, 2009	Email to Richard Zembal, Orange County Water District (OCWD), requesting any species of concern at the Santa Ana River and the Santa Ana River Bridge, the potential biological resources, and the existing conditions within the BSA.
January 15, 2009	Response email was received from OCWD bringing attention to the potential for water-associated bird nesting within the project vicinity
January 26, 2009	Email requesting information on listed species potentially present within the Biological Study Area was sent to United States Fish and Wildlife Service (USFWS)
December 28, 2009	Response letter was received from USFWS confirming that there were no federal species of concern documented within the vicinity of the project area.
March 2009	<p>A letter dated March 13, 2009, was sent to the Native American Heritage Commission (NAHC) requesting a search of the Sacred Lands File (SLF) in order to identify areas of religious or cultural significance to Native Americans. In a letter dated March 20, 2009, Dave Singleton of the NAHC responded to LSA Associates, Inc. (LSA's) March 13, 2009, request for a SLF search. Mr. Singleton advised that the results of the search were negative for the project vicinity, but recommended contacting eight individuals/groups that may have knowledge of cultural resources in or close to the project area.</p> <p>The following groups and individuals were contacted by letter on March 27, 2009:</p> <ul style="list-style-type: none"> <li>• Samuel Dunlap</li> <li>• Samuel Dunlap, Tribal Secretary, Gabrielino Tongva Nation</li> <li>• Cindi Alvitre, Ti'At Society</li> <li>• Susan Frank, Gabrielino Band of Mission Indians of California</li> <li>• John Tommy Rosas, Tribal Administrator, Tongva Ancestral Territorial Tribal Nation</li> <li>• Robert Dorame, Tribal Chair/Cultural Resources, Gabrielino Tongva Indians of California Tribal Council</li> <li>• Anthony Morales, Chairperson, Gabrieleno/Tongva San Gabriel Band of Mission Indians</li> <li>• Mercedes Dorame, Tribal Administrator, Gabrielino Tongva Indians of California Tribal Council</li> </ul> <p>An email response was received from John Tommy Rosas of the Tongva Ancestral Territorial Tribal Nation on March 29, 2009. Mr. Rosas requested full Section 106 consultation and that all project-related documents be submitted to the Tribe for review. He also stated his opposition to the project based on its location in a very sensitive area and the potential for there to be "many negative impacts."</p>
March 18, 2009	Email sent to Pam Beare of the California Department of Fish and Game (CDFG) requesting concerns about State-listed species.
April 6, 2009	Email response from Pam Beare. Bats and swallows were discussed as a potential concern for CDFG.
April 2009	<p>A response was also received from Anthony Morales of the Gabrieleno/San Gabriel Band of Mission Indians. Mr. Morales responded by telephone on April 6, 2009, to say that he is familiar with the project area and recalls there are still locations where natural habitat exists. Mr. Morales considers areas that are undisturbed to be sensitive for cultural resources and recommends monitoring by a Native American and an archaeologist when construction activities are in undisturbed native soil.</p> <p>No responses were received from any of the other Native Americans contacted. Follow-up emails were sent to all parties by the NAHC on April 10, 2009, when an email address was provided. These included Samuel Dunlap, Gabrielino Tongva</p>

**Table 3.1 Summary of Consultation and Coordination Activities**

Timing	Activity
	<p>Nation; Cindi Alvitre, Ti'At Society; and Robert Dorame, Gabrielino Tongva Indians of California Tribal Council. Because an email address was not provided for Susan Frank, Gabrielino Band of Mission Indians of California, a detailed voicemail was left for her on April 10, 2009.</p> <p>No response was received as a result of the follow-up emails and phone call on April 10, 2009.</p> <p>In a second attempt to contact those who had not yet responded, voicemails were left for Mr. Dunlap, Ms. Alvitre, and Mr. Dorame on April 15, 2009. The voicemails requested that they return the call if there were concerns about the project impacting cultural resources. No responses have been received to date from any of the three parties. The letter to Ms. Alvitre was returned unopened on April 16, 2009.</p> <p>Neither a phone number nor email address was provided by the NAHC for Mercedes Dorame, Gabrielino Tongva Indians of California Tribal Council. As a result, no follow-up attempts at contact were made. Her letter was returned unopened on April 13, 2009.</p>

Sources: Archaeological Survey Report (December 2009); Historical Resources Compliance Report (January 2010); Natural Environment Study (May 2010)

## 3.2 Project Development Team Coordination

### 3.2.1 Project Development Team (PDT) Meetings

PDT meetings have been scheduled on a monthly basis from inception of this project beginning August 2008. The purpose of these meetings is to discuss project-specific issues and work together to ensure the project meets the stated purpose and need and that these issues do not conflict with any plans, policies, or regulations.

### 3.2.2 Value Analysis Workshops

Value Analysis (VA) Workshops were conducted on June 8 and 12, 2009. The purpose of the workshops was to analyze design options for proposed alternatives that would improve operations and safety, minimize impacts, reduce costs if possible, and satisfy the local stakeholders. Participants included City of Anaheim and Department staff from Design, Environmental Planning, Construction, Traffic Operations, Maintenance, Geotechnical Services, and other functional units. The VA Workshops provided guidance and recommendations for design improvements and decision-making to project management.

### **3.3 Public Participation**

The public participation methods used for the proposed project include: mailing lists, newspaper notices/articles, direct mailings, public hearing, and web-based information.

#### **3.3.1 Public Review**

This Initial Study (IS)/with proposed Mitigated Negative Declaration (MND) will be circulated for public review for 30 days. During the circulation period, a public hearing will be held to provide information about the proposed project and to solicit public input. The public hearing location will be ADA accessible, and copies of the IS will be made available in alternate formats upon request. Public notices will be advertised in newspapers of local circulation in both English and Spanish. Also, Public Notices will be mailed to surrounding residences and businesses and posted in public locations. The IS will also be available on the Department's web page. The Notice of Intent to Adopt a Mitigated Negative Declaration and Availability of Initial Study will be mailed to the state, regional, and local agencies listed in the Distribution List included in Chapter 5. Comments regarding the project and the IS/with proposed MND may be submitted to the Department during the public review period. After the public circulation period, all substantive comments will be considered; the Department will select a preferred alternative and make the final determination of the project's effect on the environment. In accordance with CEQA, if no significant effect is identified, the Department will prepare an MND.